

**HOUSE JOURNAL
62ND LEGISLATURE
FIFTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 12, 2011

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker in the Chair. Invocation by Representative Beck. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Mehlhoff and Swanson, excused. Quorum present.

Roman, Kenley and Wyatt Zylawy provided musical entertainment for the House of Representatives.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in: 3/11/2011

SB 19, introduced by Shockley

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/11/2011

HB 94, introduced by Arntzen

HB 327, introduced by McClafferty

House bills concurred in and returned to the House:

3/11/2011

HB 23, introduced by Furey

HB 118, introduced by Hunter

HB 119, introduced by Hendrick

HB 127, introduced by Noonan

House joint resolution concurred in and returned to the House:

3/11/2011

HJR 6, introduced by Connell

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 608, introduced by Stahl, referred to State Administration.

HB 609, introduced by MacLaren, Taylor, Reichner, referred to Business and Labor.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader McGillvray moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Representative Belcourt moved **HB 2**, second reading copy, be further amended as follows:

1. Page C-6.

Following: line 27

Insert: "a. Brand Rerecord (OTO)"
"63,876" [state special fund FY 2012]

Amendment **not** adopted as follows:

Yeas: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Hands, Harris, Hill, Hiner, Hollenbaugh, Hunter, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.
Total 32

Nays: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.
Total 67

Excused: None.
Total 0

Absent or not voting: Furey.
Total 1

HB 2 - Representative McNutt moved to close Section C. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli,

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Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, Squires, Stahl, Swanson, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 97

Nays: Belcourt, Phillips, F. Smith.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Hiner moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-4.

Following: line 25

Insert: "b. Victim Information and Notification (OTO) 34,790 19,790" [general fund FY 2012 and 2013]

Amendment adopted as follows:

Yeas: Ankney, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Boland, Brodehl, Clark, Connell, Cook, Court, Cuffe, Driscoll, Ehli, Evans, Fitzpatrick, Furey, Gibson, Greef, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Kennedy, Klock, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNutt, Mehlhoff, Menahan, Miller, Noonan, O'Hara, Pease-Lopez, Phillips, Price, Read, Reinhart, Roberts, Salomon, Sands, Schmidt, Sesso, Skattum, Small, C. Smith, F. Smith, Squires, Swanson, Williams, Wilmer, Yates.

Total 67

Nays: Arntzen, Bangerter, Blasdel, Blyton, Burnett, Edmunds, Esp, Flynn, Hale, Howard, Kary, Kerns, Knox, Knudsen, McGillvray, McNiven, More, O'Neil, Osmundson, Peterson, Randall, Regier, Reichner, Rosendale, Skees, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 33

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Brodehl moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-2, line 2.

Strike: "1,268,288 1,266,113" [general fund FY 2012 and 2013]

Insert: "1,266,764 1,264,589" [general fund FY 2012 and 2013]

Strike: "12,850 12,850" [state special fund FY 2012 and 2013]

Insert: "12,847 12,847" [state special fund FY 2012 and 2013]

Strike: "720,096 723,756" [federal special fund FY 2012 and 2013]

Insert: "719,623 723,283" [federal special fund FY 2012 and 2013]

Amendment adopted as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, B. Beck, Belcourt, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Boland, Brodehl, Burnett, Clark, Connell, Cook, Court, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hands, Hansen, Harris, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, Malek, McChesney, McClafferty, McNally, McNiven, McNutt, Mehlhoff, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Phillips, Price, Randall, Read, Regier, Reichner, Reinhart, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skattum, Skees, Small, C. Smith, F. Smith, Squires, Stahl, Swanson, Taylor, Wagner, Warburton, Washburn, Welborn, Williams, Wilmer, Yates, Mr. Speaker.

Total 98

Nays: McGillvray, Vance.

Total 2

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Hiner moved **HB 2**, second reading copy, be further amended as follows:

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1. Page D-5, line 2.

Strike: "73,435,468 73,488,148" [general fund FY 2012 and FY 2013]

Insert: "73,535,468 73,588,148" [general fund FY 2012 and FY 2013]

Amendment **not** adopted as follows:

Yeas: Barrett, Belcourt, B. Bennett, Berry, Boland, Court, Driscoll, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Williams, Wilmer.

Total 33

Nays: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Yates, Mr. Speaker.

Total 67

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative Hiner moved **HB 2**, second reading copy, be further amended as follows:

1. Page D-4, line 27.

Strike: "58,313,406 58,554,173" [general fund FY 2012 and 2013]

Insert: "59,058,006 60,836,007" [general fund FY 2012 and 2013]

Amendment **not** adopted as follows:

Yeas: Barrett, Belcourt, B. Bennett, Boland, Court, Driscoll, Furey, Hands, Hill, Hiner, Hollenbaugh, Hunter, MacDonald, Malek, McChesney, McClafferty, McNally, Mehlhoff, Menahan, Noonan, Pease-Lopez, Phillips, Price, Reinhart, Sands, Schmidt, Sesso, F. Smith, Squires, Swanson, Welborn, Williams, Wilmer, Yates.

Total 34

Nays: Ankney, Arntzen, Bangerter, B. Beck, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Gibson, Greef, Hale, Hansen, Harris, Hendrick, Hollandsworth, Hoven, Howard, Ingraham, Kary,

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Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacLaren, McGillvray, McNiven, McNutt, Miller, More, O'Hara, O'Neil, Osmundson, Peterson, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Skattum, Skees, Small, C. Smith, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Mr. Speaker.

Total 66

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 2 - Representative McNutt moved to close Section D. Motion carried as follows:

Yeas: Ankney, Arntzen, Bangerter, Barrett, Belcourt, G. Bennett, Berry, Blasdel, Blyton, Brodehl, Burnett, Clark, Connell, Cook, Cuffe, Driscoll, Edmunds, Ehli, Esp, Evans, Fitzpatrick, Flynn, Furey, Gibson, Greef, Hale, Hansen, Hendrick, Hill, Hiner, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Kary, Kennedy, Kerns, Klock, Knox, Knudsen, Lavin, Loney, MacDonald, MacLaren, McChesney, McClafferty, McGillvray, McNally, McNiven, McNutt, Menahan, Miller, More, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peterson, Price, Randall, Read, Regier, Reichner, Roberts, Rosendale, Salomon, Sands, Schmidt, Sesso, Skees, Small, C. Smith, Squires, Stahl, Taylor, Vance, Wagner, Warburton, Washburn, Welborn, Williams, Yates, Mr. Speaker.

Total 85

Nays: B. Bennett, Boland, Court, Hands, Hunter, Malek, Mehlhoff, Phillips, Reinhart, Skattum, F. Smith, Swanson, Wilmer.

Total 13

Excused: None.

Total 0

Absent or not voting: B. Beck, Harris.

Total 2

Majority Leader McGillvray moved the committee rise. Motion carried. Committee arose. House resumed. Mr. Speaker in the chair.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative McGillvray moved that the House adjourn until 1:00 p.m., Monday, March 14, 2011. Motion carried.

House adjourned at 9:42 a.m.

BETH CARGO
Chief Clerk of the House

MIKE MILBURN
Speaker of the House